

REMARKS

Claims 1-100 are pending. The Office action indicated claims 1-3, 5, 7, 1, 14, 22, 26, 44-55, 58-69, 72-78, and 83-100 would be allowable if the Applicant overcomes the double patenting rejection. The Office action indicated claims 20, 21, 23, 24, 28, 29, and 79-82 would be allowable if the Applicant overcomes the double patenting rejection and includes all of the limitations of the base claim and any intervening claims. To advance prosecution of this case, a terminal disclaimer is attached and the limitations from the allowable claims are incorporated into the independent claims and a divisional application will be filed with the claims that are not indicated as allowable. Applicants respectfully traverse and request reconsideration.

As a preliminary matter, the office action dated December 28, 2007 on page 18 indicated that claim 32 (relief opening) would be allowable if amended to include all of the limitations of the base claim (claim 11)¹. In reliance to this statement, and to advance prosecution, amended independent claim 11 includes the limitations of claim 32, which was indicated as allowable if incorporated into independent claim 11 and thus should be allowed. However, the office action now rejects claims 11 although claim 32, now in amended claim 11, was indicated as allowable if so amended.

Double Patenting

The Office Action rejects claims 1, 3-7, 9-12, 14-17, 20-29, 33, 35-39, 41, 45-47, 49-53, 55, 59-61, 63-67, 69 and 73-76 on the ground of non-statutory obvious-type double patenting over US Patent No. 6,691,380.

¹ The Office action dated December 28, 2007 indicated claims 18-24, 32, 42-44, 56-58, 70-72, and 77-100 would be allowable if the Applicant overcomes the double patenting rejection and includes all of the limitations of the base claim and any intervening claims.

Claims 77-100 are rejected on the ground of non-statutory obvious-type double patenting over US Patent No. 6,691,380 in view of Smith (U.S. Patent No. 5,987,714).

A terminal disclaimer is attached to overcome the non-statutory obvious-type double patenting rejection based on US Patent No. 6,279,207 and 5,987,714 for these claims only. Thus, the claims not rejected on the grounds of non-statutory obvious-type double patenting are not subject to the terminal disclaimer, including at least claims 2, 8, 13, 18, 19, 30, 31, 32, 34, 40, 42-44, 48, 54, 58, 56-58, 62, 68 and 70-72.

Claim Rejections – 35 USC §103

Claims 4, 6, 8, 11-13, 16, 17 and 25

The Office Action rejects claims 4, 6, 8, 11-13, 16, 17 and 25 under 35 U.S.C. § 103(a) as being unpatentable based on US Patent No. 4,402,118 (Benedetti) in view of Holton (US 3,525,129). As explain above, independent claim 11 was amended to include the limitations of claim 32 in reliance to the indication that claim 32 would be allowed if amended to include the limitations of claim 11. Since claim 11 amended with the limitations of claim 32 were indicated as allowable, and because this rejection is improper, allowance of the rejected claims is requested.

As a preliminary matter, the Office Action on page 5 includes a drawing from Osterland, not from Benedetti. As such the office action refers to incorrect and confusing drawings with regard to the rejection based on Benedetti.

The Office Action acknowledges that Benedetti does not disclose where the spring comprises a relief opening. Applicants repeat the relevant arguments made in previous office actions including those made in the response to the office action dated June 4 2007. For example, the office action merely cites to Figs. 1-8 without particularly pointing out to where

Benedetti teaches “the depth of each ripple is the distance between the surface of the hindrance portion and the deepest part of the respective ripple” and thus a showing is requested.

The Office Action rejects claims 4, 6, 8, 11-13, 16, 17, 25, 30 and 31 under 35 U.S.C. § 103(a) as being unpatentable based on US Patent No. 6,928,705 (Osterland) in view of Holton (US 3,525,129).

The above arguments are repeated including those showing that independent claim 11 amended to include the limitations of claim 32 was previously indicated as allowable.

Applicants repeat the relevant arguments made in previous office actions including those made in the response to the office action dated June 4 2007. For example, as with Benedetti above, the Office Action fails to show where Osterland as cited teaches, among other things, the one to three ripples having the form of a depression wherein the depth of each ripple is the distance between the surface of the hindrance portion and the deepest part of the respective ripple.

In view of the amendments to the independent claims to include the limitations from the claims indicated as allowable, reconsideration and withdrawal of the rejections is respectfully requested.

Regarding the dependent claims, the dependent claims depend on independent claims 1, 11, 33, 38, 47, 52, 61, 66, 75 and 76 adding further limitations and are thus also allowable for at least the reasons the independent claims are allowable. Reconsideration and withdrawal of the rejections is respectfully requested.

Applicants respectfully submit that now the claims are in condition for allowance, and an early Notice of Allowance is earnestly solicited. The Examiner is invited to telephone the below-listed attorney at 708-588-0948 to advance prosecution of this case.

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